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PARALEGAL
Maria Nunez, B.S.

September 9, 2022

Via ECF

Honorable Mary K. Vyskocil
United States District Judge
United State District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>9/9/2022</u>
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Re: United States of America v. Cesar Cruz
Case No.: 21-CR-00504(MKV)

Your Honor:

This office represents Cesar Cruz, the Defendant in the above referenced matter which is currently on the Court's calendar for a change of plea on September 12th. As we advised yesterday, Mr. Cruz has decided not to enter a plea pursuant to the prior plea agreement document with the Government and instead seeks to avail himself of the hearing previously Ordered by the Court. The Court indicated yesterday that November 21st was available. The Government suggested that a date from December 7th through the -15th would be better, but could proceed if necessary on November 21st.

I have discussed this request with the AUSA Kaylan Lasky and AUSA Kedar Bhatia and they do not object to the requested adjournment. Therefore, we respectfully request that the Court adjourn this matter for further proceeding to a day after November 20th. We further request that the time between now and the next adjourn date be excluded pursuant to the Speedy Trial Act.

The Court's consideration of this request is respectfully appreciated. Thank you.

Yours truly,

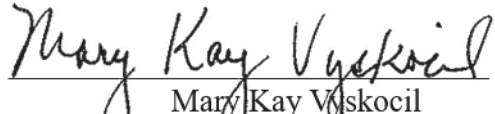
John Russo

John L. Russo (JR6200)

Cc: AUSA Kaylan Lasky (Via E-mail) /AUSA Kedar Bhatia (Via E-Mail)

The change of plea hearing that was previously scheduled to take place on September 12, 2022 is ADJOURNED *sine die*. The Court will hold a suppression hearing on November 21, 2022 at 10:30 a.m. The government must provide a witness list, exhibit list, and 3500 material one week before the hearing.

Date: Sept. 9, 2022
New York, New York


Mary Kay Vyskocil
United States District Judge